

Form 149

**IN THE UNITED STATES BANKRUPTCY COURT  
FOR THE WESTERN DISTRICT OF PENNSYLVANIA**

In re:

**Eileen Marie Stamps**  
Debtor(s)

Bankruptcy Case No.: 19-23944-CMB  
Per November 18, 2019 proceeding  
Chapter: 13  
Docket No.: 32 – 13  
Concil. Conf.: April 23, 2020 at 01:00 PM

**ORDER OF COURT CONFIRMING PLAN AS MODIFIED  
AND SETTING DEADLINES FOR CERTAIN ACTIONS**

**(1.) PLAN CONFIRMATION:**

IT IS HEREBY ORDERED that upon consent of the Debtor(s), the Chapter 13 Plan dated October 22, 2019 is CONFIRMED as modified at the Plan confirmation hearing. Terms of the Plan not expressly modified by this Order remain in full force and effect. A copy of this Plan was previously mailed to you. *Only those provisions which are checked below apply to this case:*

- ☐ A. For the remainder of the Plan term, the periodic Plan payment is amended to be \$ as of . Debtor(s)' counsel shall file a motion to amend the income attachment order within seven (7) days of the date of this Order.
- ☐ B. The length of the Plan is increased to a total of months. This statement of duration of the Plan is an approximation. The Plan shall not be completed until the goals of the Plan have been achieved. The total length of the Plan shall not exceed sixty (60) months.
- ☒ C. Plan confirmation is on an interim basis only as a form of adequate protection. The Trustee is authorized to distribute to secured and priority creditors with percentage fees. ***A final plan conciliation conference will be held on Apr. 23, 2020 at 01:00 PM, in 3251 U.S. Steel Tower, 600 Grant Street, Pittsburgh, PA 15219.*** If the Parties cannot resolve all disputes at the conciliation conference, a hearing will be scheduled and orally announced at the conclusion of the conference without any further written notice to any party. Parties are directed to monitor the Court's docket and read the Chapter 13 Trustee's minutes of the conciliation conference to the extent such parties desire more information regarding the outcome of the conciliation conference.
- ☐ D. Plan confirmation is subject to the resolution of all actions to determine the avoidability, priority, or extent of liens; including determination of the allowed amount of secured claims under *11 U.S.C. §506*, disputes over the amount and allowance of claims entitled to priority under *11 U.S.C. §507*, and all objections to claims.
- ☐ E. The allowed claims of general unsecured creditors shall be paid from available funds on a pro rata basis, which may represent an increase or decrease in the amount projected in the Plan.
- ☐ F. shall be paid monthly payments of \$ beginning with the Trustee's distribution and continuing for the duration of the plan term, to be applied by that creditor to its administrative claim, budget payments and/or security deposit. These payments shall be at the third distribution level.
- ☐ G. The claims of the following creditors shall govern as to amount, classification and rate of interest (or as otherwise noted), unless the Debtor(s) successfully objects to the claim: .
- ☒ H. Additional Terms: The secured claim of the following creditor shall govern as to claim amount, to be paid at the modified plan terms: Santander Consumer (Claim No. 2) payment determined by trustee.

Attorney fees to be paid per plan.

**(2.) IT IS FURTHER ORDERED THAT THE FOLLOWING DEADLINES ARE ESTABLISHED:**

**A. Objections to the Plan.** Pursuant to *Fed.R.Bankr.P. 2002(b)*, this Order shall not become final for a period of twenty-eight (28) days. Any party in interest with an objection to any provision of this Confirmation Order must file a written objection within that twenty-eight (28) day period. Failure to timely object shall be deemed a waiver of all objections and an acceptance of the provisions of this confirmed Plan. The Trustee may disburse funds pursuant to this confirmation order upon its entry.

**B. Applications to retain brokers, sales agents, or other professionals.** If the Plan contemplates sales of assets or litigation proceeds as a source of funding, Debtor(s) shall file motion(s) to employ the necessary professionals within thirty (30) days hereof.

**C. Review of Claims Docket and Objections to Claims.** Pursuant to *W.PA.LBR 3021-1(c)(2)*, the Debtor or Debtor's attorney, if represented, shall review the proofs of claim filed and shall file objections to any disputed claims within ninety (90) days after the claims bar date or, for late filed or amended claims, within ninety (90) days after they are filed and served. Absent an objection, the proof of claim will govern as to the classification and amount of the claim. Objections filed after the ninety (90) days specified herein shall be deemed untimely.

**D. Motions or Complaints Pursuant to §§506, 507 or 522.** All actions to determine the priority, avoidability, or extent of liens, all actions pursuant to *11 U.S.C. §§506, 507 and 522* shall be filed within ninety (90) days after the claims bar date.

**E. Filing Amended Plans.** Within fourteen (14) days after the Bankruptcy Court resolves the priority, avoidability, or extent of a lien, or any objection to claim, the Debtor(s) shall file an amended Plan to provide for the allowed amount of the claim if the allowed amount differs from the amount stated in the plan. Debtor(s) shall also file an amended Plan within thirty (30) days after the claims bar date(s) in the event that no objection is filed and the claim(s) as filed causes the Plan to be underfunded.

(3.) ***IT IS FURTHER ORDERED THAT:***

**A.** After the claims objection deadline, the Plan shall be deemed amended to conform to the claims filed or otherwise allowed. If the Plan expressly modified the terms of payment to any creditor pursuant to *11 U.S.C. §1322(b)(2)*, nothing in this Order shall be construed to change the payment terms established in the Plan.

**B.** Any creditor who files or amends a proof of claim shall serve a copy on the Debtor(s) or counsel for the Debtor(s).

**C.** Any creditor whose payment changes due to variable interest rates, change in escrow, or change in monthly payments, shall notify the Trustee, Debtor(s)' counsel and Debtor(s) at least twenty-one (21) days prior to the change taking effect.

**D.** Debtor's counsel must file a fee application in accordance with *W.P.A.LBR 2016-1* before attorney fees in excess of the "no look" provision (including retainer) will be allowed or paid.

**E.** The Trustee shall file a *Certificate of Default and Request for Dismissal* of the case in the event of a material Plan default. If the default involves failure to make a plan payment the case will result in dismissal without further hearing upon filing and service of an *Affidavit of Default* by the Trustee. The Trustee is not precluded from raising pre-confirmation defaults in any subsequent motion to dismiss.

**F.** In the event that any order is entered in this case granting relief from the automatic stay to a secured creditor, then the Trustee shall make no further disbursements to any creditor on account of any ***secured claim*** that is secured by the subject property, unless directed otherwise by further Order of Court.

  
Carlota M. Böhm, Judge  
United States Bankruptcy Court

Dated: November 21, 2019

cc: All Parties in Interest to be served by Clerk in seven (7) days

**Certificate of Notice Page 4 of 5**  
 United States Bankruptcy Court  
 Western District of Pennsylvania

In re:  
 Eileen Marie Stamps  
 Debtor

Case No. 19-23944-CMB  
 Chapter 13

**CERTIFICATE OF NOTICE**

District/off: 0315-2

User: lmar  
 Form ID: 149

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 Total Noticed: 38

Date Rcvd: Nov 21, 2019

Notice by first class mail was sent to the following persons/entities by the Bankruptcy Noticing Center on Nov 23, 2019.

db +Eileen Marie Stamps, 2640 Russell Drive, New Kensington, PA 15068-3044  
 cr +Bayview Loan Servicing, LLC, a Delaware Limited Li, c/o Aldridge Pite, LLP,  
 4375 Jutland Drive, Suite 200, P.O. Box 17933, San Diego, CA 92177-7921  
 cr +Lakeview Loan Servicing, LLC., RAS Citron LLC, 130 Clinton Road, Suite 202,  
 Fairfield, NJ 07004-2927  
 15136452 +AAS Debt Recovery, 2526 Monroeville Blvd., Suite 205, Monroeville, PA 15146-2371  
 15136454 +CitiFinancial, Inc., Attn: CitiFinancial Customer Care, 605 Munn Road,  
 Fort Mill, SC 29715-8421  
 15136455 +Citizens Bank, N.A., 3136 Leechburg Road, New Kensington, PA 15068-2740  
 15136456 +City of Lwer Burrell, ATTN: Brian Eshbaugh, Treasurer, 115 Schreiber Street,  
 New Kensington, PA 15068-3229  
 15136458 Collection Service Center, Inc., 839 5th Ave., P.O. Box 560, New Kensington, PA 15068-0560  
 15136461 Credit Management, LP, 7300 Airport Drive SW, Rochester, MN 55902  
 15152502 +F.S. & D.L. DeMarco DDS, PC, c/o Karen L. Hughes, Esquire, AAS Debt Recovery Inc.,  
 2526 Monroeville Blvd., Suite 205, Monroeville, PA 15146-2371  
 15136463 Genesis Medical Associates, Inc., 8150 Perry Highway, Suite 300,  
 Pittsburgh, PA 15237-5232  
 15136464 +Heyl Family Practice, 8150 Perry Highway, Suite 300, Pittsburgh, PA 15237-5232  
 15136465 +Integrated Practitioners Center, 133 Mulone Drive, Sarver, PA 16055-8409  
 15136466 +Loan Care Servicing, Attn: Consumer Solutions Dept, P. O. Box 8068,  
 Virginia Beach, VA 23450-8068  
 15136467 +Macy's Inc., 9111 Duke Boulevard, Mason, OH 45040-8999  
 15136468 +McCabe, Weisberg, and Conway, Suite 1400, 123 South Broad Street,  
 Philadelphia, PA 19109-1060  
 15136469 +Municipal Authority for New Kensington, 920 Barnes Street, New Kensington, PA 15068-6207  
 15136471 +Peoples Natural Gas, P.O. Box 644760, Pittsburgh, PA 15264-4760  
 15136472 +Quest Diagnostics, 875 Greentree Road, 4 Parkway Center, Pittsburgh, PA 15220-3610  
 15148200 +SANTANDER CONSUMER USA, P.O. Box 560284, Dallas, TX 75356-0284  
 15136473 +Santander Consumer USA, Attn: Bankruptcy, 10-64-38-Fd7 601 Penn St,  
 Reading, PA 19601-3544  
 15136474 +Shank Waste Service, Inc., P.O. Box 856, Mars, PA 16046-0856  
 15136477 +Tristate Orthopaedics & Sports Medicine, 5900 CORPORATE DRIVE, Suite 200,  
 PITTSBURGH, PA 15237-7005  
 15136478 ++US BANK, PO BOX 5229, CINCINNATI OH 45201-5229  
 (address filed with court: U.S. Bank, N.A., Attn: Corporate Trust Services, EP-MN-WS3D,  
 60 Livingston Avenue, Saint Paul, MN 55107)

Notice by electronic transmission was sent to the following persons/entities by the Bankruptcy Noticing Center.

cr +E-mail/PDF: PRA\_BK2\_CASE\_UPDATE@portfoliorecovery.com Nov 22 2019 03:48:57  
 PRA Receivables Management, LLC, PO Box 41021, Norfolk, VA 23541-1021  
 15136453 +E-mail/Text: bkmailbayview@bayviewloanservicing.com Nov 22 2019 03:34:51  
 Bayview Financial Loan, Attn: Bankruptcy Dept, 4425 Ponce De Leon Blvd. 5th Floor,  
 Coral Gables, FL 33146-1873  
 15136457 +E-mail/Text: bankruptcy@firstenergycorp.com Nov 22 2019 03:34:31  
 Collection Service Center, Inc., Attn: Bankruptcy, 839 5th Ave.,  
 New Kensington, PA 15068-6303  
 15136459 +E-mail/Text: bankruptcy\_notifications@ccsusa.com Nov 22 2019 03:35:04  
 Credit Collection Services, 725 Canton Street, Norwood, MA 02062-2679  
 15136460 +E-mail/Text: bdsupport@creditmanagementcompany.com Nov 22 2019 03:34:48  
 Credit Management Company, P.O. Box 16346, 2121 Noblestown Road,  
 Pittsburgh, PA 15205-3956  
 15136462 +E-mail/Text: bankruptcy@erieinsurance.com Nov 22 2019 03:35:04 Erie Insurance Group,  
 100 Erie Insurance Place, Erie, PA 16530-0001  
 15136470 +E-mail/PDF: cbp@onemainfinancial.com Nov 22 2019 03:37:23 OneMain Financial,  
 Attn: Bankruptcy, P. O. Box 3251, Evansville, IN 47731-3251  
 15136969 +E-mail/PDF: gecsed@recoverycorp.com Nov 22 2019 03:37:28 Synchrony Bank,  
 c/o of PRA Receivables Management, LLC, PO Box 41021, Norfolk, VA 23541-1021  
 15136475 +E-mail/PDF: gecsed@recoverycorp.com Nov 22 2019 03:36:52 Synchrony Bank, PO Box 965064,  
 Orlando, FL 32896-5064  
 15136476 +E-mail/PDF: gecsed@recoverycorp.com Nov 22 2019 03:37:29 Synchrony Bank/Gap,  
 Attn: Bankruptcy Dept, P. O. Box 965060, Orlando, FL 32896-5060  
 15136479 +E-mail/Text: BankruptcyNotice@upmc.edu Nov 22 2019 03:34:55 UPMC, 2 Hot Metal Street,  
 Dist. Room 386, Pittsburgh, PA 15203-2348  
 15136480 +E-mail/Text: wfmelectronicbankruptcyntifications@verizonwireless.com Nov 22 2019 03:33:38  
 Verizon Wireless, 550 Technology Drive, Suite 550, Saint Charles, MO 63304-2205  
 15136481 E-mail/Text: bankruptcy@firstenergycorp.com Nov 22 2019 03:34:31 West Penn Power,  
 76 South Main Street, Akron, OH 44308-1890  
 15143287 +E-mail/Text: bankruptcy@firstenergycorp.com Nov 22 2019 03:34:31 West Penn Power,  
 5001 NASA Blvd, Fairmont WV 26554-8248

TOTAL: 14

\*\*\*\*\* BYPASSED RECIPIENTS \*\*\*\*\*

NONE.

TOTAL: 0

District/off: 0315-2

User: lmar  
Form ID: 149

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Total Noticed: 38

Date Rcvd: Nov 21, 2019

\*\*\*\*\* BYPASSED RECIPIENTS (continued) \*\*\*\*\*

Addresses marked '+' were corrected by inserting the ZIP or replacing an incorrect ZIP.  
USPS regulations require that automation-compatible mail display the correct ZIP.

Transmission times for electronic delivery are Eastern Time zone.

Addresses marked '++' were redirected to the recipient's preferred mailing address  
pursuant to 11 U.S.C. 342(f)/Fed.R.Bank.PR.2002(g)(4).

**I, Joseph Speetjens, declare under the penalty of perjury that I have sent the attached document to the above listed entities in the manner shown, and prepared the Certificate of Notice and that it is true and correct to the best of my information and belief.**

**Meeting of Creditor Notices only (Official Form 309): Pursuant to Fed. R. Bank. P. 2002(a)(1), a notice containing the complete Social Security Number (SSN) of the debtor(s) was furnished to all parties listed. This official court copy contains the redacted SSN as required by the bankruptcy rules and the Judiciary's privacy policies.**

Date: Nov 23, 2019

Signature: /s/Joseph Speetjens

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## CM/ECF NOTICE OF ELECTRONIC FILING

The following persons/entities were sent notice through the court's CM/ECF electronic mail (Email) system on November 21, 2019 at the address(es) listed below:

James Warmbrodt on behalf of Creditor Bayview Loan Servicing, LLC, a Delaware Limited Liability Company bkgroup@kmlawgroup.com  
Justin P. Schantz on behalf of Debtor Eileen Marie Stamps jschantz@my-lawyers.us,  
colecchia542@comcast.net;office@my-lawyers.us;sshipley@my-lawyers.us;jmonroe@my-lawyers.us;rjulia  
no@my-lawyers.us;ekudlock@my-lawyers.us  
Office of the United States Trustee ustpreion03.pi.ecf@usdoj.gov  
Ronda J. Winnecour cmecf@chapter13trusteedpa.com

TOTAL: 4